

1 PHILLIP A. TALBERT  
2 United States Attorney  
3 MATHEW W. PILE, WSBA 32245  
Associate General Counsel  
Office of Program Litigation, Office 7  
ELIZABETH LANDGRAF, CA 313184  
4 Special Assistant United States Attorney  
Social Security Administration  
5 6401 Security Boulevard  
Baltimore, MD 21235  
6 Telephone: (510) 970-4828  
Facsimile: (415) 744-0134  
7 Elizabeth.Landgraf@ssa.gov  
Attorneys for Defendant

8

9

10 UNITED STATES DISTRICT COURT  
11 EASTERN DISTRICT OF CALIFORNIA  
12 SACRAMENTO DIVISION

13

14 MICHAEL ANTHONY LAWRENCE,  
15 Plaintiff,  
16 v.  
17 KILOLO KIJAKAZI,  
18 Acting Commissioner of Social Security,  
19 Defendant.

20

21 Case No. 2:22-cv-00307-KJN

22

23 STIPULATION FOR THE AWARD AND  
24 PAYMENT OF ATTORNEY FEES AND  
25 EXPENSES PURSUANT TO THE EQUAL  
ACCESS TO JUSTICE ACT, 28 U.S.C. §  
2412(d), AND COSTS PURSUANT TO  
28 U.S.C. § 1920

26

27 IT IS HEREBY STIPULATED by and between the parties through their undersigned  
counsel, subject to the approval of the Court, that Plaintiff be awarded attorney fees and expenses  
in the amount \$7,500.00 (SEVEN THOUSAND FIVE HUNDRED dollars) under the Equal Access  
to Justice Act (EAJA), 28 U.S.C. § 2412(d), and costs in the amount of \$402.00 (FOUR  
HUNDRED AND TWO dollars) under 28 U.S.C. § 1920. This amount represents compensation  
for all legal services rendered on behalf of Plaintiff by counsel in connection with this civil action,

1 in accordance with 28 U.S.C. §§ 1920; 2412(d).

2 After the Court issues an order for EAJA fees to Plaintiff, the government will consider the  
3 matter of Plaintiff's assignment of EAJA fees to counsel, if any. Pursuant to *Astrue v. Ratliff*, 560  
4 U.S. 586, 598, 130 S.Ct. 2521, 177 L.Ed.2d 91 (2010), the ability to honor any assignment will  
5 depend on whether the fees are subject to any offset allowed under the United States Department  
6 of the Treasury's Offset Program. After the order for EAJA fees is entered, the government will  
7 determine whether they are subject to any offset.

8 Fees shall be made payable to Plaintiff, but if the Department of the Treasury determines  
9 that Plaintiff does not owe a federal debt, then the government shall cause the payment of fees,  
10 expenses and costs to be made directly to counsel, pursuant to the assignment executed by Plaintiff.  
11 Any payments made shall be delivered to counsel.

12 This stipulation constitutes a compromise settlement of Plaintiff's request for EAJA  
13 attorney fees and does not constitute an admission of liability on the part of Defendant under the  
14 EAJA or otherwise. Payment of the agreed amount shall constitute a complete release from, and  
15 bar to, any and all claims that Plaintiff and/or counsel including counsel's firm may have relating  
16 to EAJA attorney fees in connection with this action.

17 This award is without prejudice to the rights of counsel and/or counsel's firm to seek Social  
18 Security Act attorney fees under 42 U.S.C. § 406(b), subject to the savings clause provisions of the  
19 EAJA.

20 DATE: March 3, 2023

21 /s/ Jared T. Walker

22 JARED T. WALKER

23 Attorney for Plaintiff

24 \*Authorized via e-mail on March 3, 2023

25 PHILLIP A. TALBERT

26 United States Attorney

27 MATHEW W. PILE

28 Associate General Counsel

Office of Program Litigation, Office 7

Social Security Administration

27 //  
28 //

1 By /s/ *Elizabeth Landgraf*  
2 ELIZABETH LANDGRAF  
3 Special Assistant United States Attorney

4  
5 Attorneys for Defendant

**ORDER**

6 Based upon the parties' Stipulation for the Award and Payment of Equal Access to  
7 Justice Act Fees, Costs, and Expenses, IT IS ORDERED that fees and expenses in the amount of  
8 \$7,500.00 as authorized by 28 U.S.C. § 2412, and costs in the amount of \$402.00 as authorized  
9 by 28 U.S.C. § 1920, be awarded subject to the terms of the Stipulation.

10 Dated: March 3, 2023

11   
12 KENDALL J. NEWMAN  
13 UNITED STATES MAGISTRATE JUDGE

14 lawr.307